

NOTICE OF APPEAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

GERARD DEPASCALE, LIAM NEVILLE, AND JOANNE DEPASCALE,

Plaintiffs,

vs.

SYLVANIA ELECTRIC PRODUCTS, INC.; GTE CORPORATION; VERIZON
COMMUNICATIONS INC.; GTE PRODUCTS OF CONNECTICUT CORPORATION;
GTE OPERATIONS SUPPORT INCORPORATED; OSRAM SYLVANIA INC.;
OSRAM SYLVANIA
PRODUCTS INC.; AND DOES 1-1000,

Defendants.

NOTICE OF APPEAL

Case No.: 07-CV-3558 (LDW) (ARL)

ECF Case

NOTICE IS HEREBY GIVEN that GERARD DEPASCALE, LIAM NEVILLE, AND JOANNE DEPASCALE hereby appeal to the United States Court of Appeals for the Second Circuit from the trial Court's decision to grant Defendants' request for a new trial pursuant to Rule 59 of the Federal Rules of Civil Procedure filed on or about April 30, 2010, entered on or about May 5, 2010. The Order to grant a partial new trial came after a Jury awarded Plaintiffs' damages and ruled against Defendants' alleged government contractor defense.

On August 12, 2011, after a limited re-trial on the government contractor defense, a second Jury found that the government contractor defense applied in direct contradiction of the original Jury's verdict. The Clerk issued an Order dismissing